



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
CHARLES J. KROGMEIER, DIRECTOR

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DHS sets quick reviews in Child injury cases

DES MOINES, Iowa—Department of Human Services Director Charles Krogmeier announced Monday that the agency will arrange for a team of medical experts to be on call for quick consultation in cases where there are questions about the cause of injuries to children.

He said a review of regulations regarding child abuse shows differing medical opinions may prevent the DHS from taking action to protect children. In those cases, he said the agency needs a quick and authoritative review.

Krogmeier announced his decision in a letter to Gov. Chet Culver, who had asked Krogmeier to review child welfare regulations.

In other areas:

- Krogmeier urged law enforcement and court officials to consider a proposal that would require speedy enforcement of protective orders issued by juvenile courts in child abuse cases. He said the general practice is to quickly deliver and enforce such orders, but a delay can sometimes expose children to danger.
- Krogmeier said there is no cause to remove a newborn from the home based solely on a finding of marijuana in the child's system.

Krogmeier said the DHS already has the ability to convene a multi disciplinary task force when DHS social workers need help from police, medical officials, prosecutors, and other specialists. Teams have regular and brief meetings, and are not paid.

"When it is used, the MDT process works well," he said in his letter to Culver. "But we are not always able to assemble an MDT on short notice in order to review appropriate cases in as fast a manner as we would prefer."

He said he has instructed DHS staff to assemble a group of medical professionals who would be placed on retainer and who would respond quickly when second opinions are needed in child injury cases. The DHS cannot seek court action based on physical injury if the medical opinion declares the injury to be accidental.

Multi disciplinary teams are required in counties where there are larger numbers of child abuse reports. Krogmeier said the level of expertise varies across the state, and he directed top regional DHS administrators to review and strengthen these teams as necessary.

Regarding unlawful drugs found in newborns, Krogmeier noted that Iowa law already declares this to be child abuse, with the mother listed on the child abuse registry. But medical experts say that unlike drugs with greater risk of addiction, "cases involving marijuana do not always indicate an imminent threat to the health or safety of the child."

Krogmeier said the DHS will continue its policy of closely monitoring the safety of these newborns and will "almost certainly seek to engage the family in appropriate support services."

“I believe that this policy and practice is appropriate. Thus, I am not recommending any change in current practices in these types of cases,” he said.

Krogmeier said his recommendations stem from a review of recent cases but he declined to be more specific. State law requires DHS records in child abuse cases to be confidential except in cases of death or near death. In those cases, the DHS follows the recommendation of prosecutors regarding release of records.

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